

# House File 2443 - Introduced

HOUSE FILE 2443

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 670)

## A BILL FOR

1 An Act relating to the sales tax exemption for the purchase  
2 of certain items used in certain manufacturing, research  
3 and development, data processing or storage, or recycling  
4 activities.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 423.3, subsection 47, paragraph a,  
2 unnumbered paragraph 1, Code 2014, is amended to read as  
3 follows:

4 The sales price from the sale or rental of computers,  
5 machinery, ~~and equipment, including~~ replacement parts,  
6 supplies, and materials used to construct or self-construct  
7 computers, machinery, ~~and equipment, replacement parts, and~~  
8 supplies, if such items are any of the following:

9 Sec. 2. Section 423.3, subsection 47, paragraph d, Code  
10 2014, is amended by adding the following new subparagraphs:

11 NEW SUBPARAGRAPH. (7) "*Replacement part*" means tangible  
12 personal property other than computers, machinery, equipment,  
13 or supplies, regardless of the cost or useful life of the  
14 tangible personal property, that meets all of the following  
15 conditions:

16 (a) The tangible personal property replaces a component of  
17 a computer, machinery, or equipment, which component is capable  
18 of being separated from the computer, machinery, or equipment.

19 (b) The tangible personal property performs the same or  
20 similar function as the component it replaced.

21 (c) The tangible personal property restores the computer,  
22 machinery, or equipment to an operational condition, or  
23 upgrades or improves the efficiency of the computer, machinery,  
24 or equipment.

25 NEW SUBPARAGRAPH. (8) "*Supplies*" means tangible personal  
26 property, other than computers, machinery, equipment, or  
27 replacement parts, that meets one of the following conditions:

28 (a) The tangible personal property is to be connected  
29 to a computer, machinery, or equipment and requires regular  
30 replacement because the property is consumed or deteriorates  
31 during use, including but not limited to saw blades, drill  
32 bits, filters, and other similar items with a short useful  
33 life.

34 (b) The tangible personal property is used in conjunction  
35 with a computer, machinery, or equipment and is specially

1 designed for use in manufacturing specific products and may  
2 be used interchangeably and intermittently on a particular  
3 computer, machine, or piece of equipment, including but not  
4 limited to jigs, dies, tools, and other similar items.

5 (c) The tangible personal property comes into physical  
6 contact with other tangible personal property used in  
7 processing and is used to assist with or maintain conditions  
8 necessary for processing, including but not limited to cutting  
9 fluids, oils, coolants, lubricants, and other similar items  
10 with a short useful life.

11 (d) The tangible personal property is directly and  
12 primarily used in an activity described in paragraph "a",  
13 subparagraphs (1) through (6), including but not limited to  
14 prototype materials and testing materials.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the sales tax exemption in Code section  
19 423.3(47) for the purchase or rental of certain items used in  
20 manufacturing, research and development, data processing or  
21 storage, or recycling activities.

22 Under current law, the exemption includes replacement  
23 parts. The bill amends the exemption to include materials  
24 used to construct or self-construct replacement parts. The  
25 bill defines "replacement part" for purposes of the exemption  
26 to mean tangible personal property other than computers,  
27 machinery, equipment, or supplies, regardless of the cost or  
28 useful life of the property, that replaces a component of a  
29 computer, machinery, or equipment, performs the same or similar  
30 function as that component, and restores or improves the  
31 computer, machinery, or equipment.

32 The bill also amends the exemption to include supplies  
33 and materials used to construct or self-construct supplies.  
34 "Supplies" is defined in the bill as tangible personal property  
35 that is not a computer, machinery, equipment, or replacement

1 part and that meets one of the following four conditions:

2 1. The tangible personal property is to be connected to  
3 a computer, machinery, or equipment and requires regular  
4 replacement because it is consumed or deteriorates during  
5 use. Examples of items that meet this requirement include saw  
6 blades, drill bits, filters, and other similar items with a  
7 short useful life.

8 2. The tangible personal property is used in conjunction  
9 with a computer, machinery, or equipment and is specially  
10 designed for use in manufacturing specific products and may  
11 be used interchangeably and intermittently on a particular  
12 computer, machine, or piece of equipment. Examples of items  
13 that meet this requirement include jigs, dies, tools, and other  
14 similar items.

15 3. The tangible personal property comes into physical  
16 contact with other tangible personal property used in  
17 processing and is used to assist with or maintain conditions  
18 necessary for processing. Examples of items that meet this  
19 requirement include cutting fluids, oils, coolants, lubricants,  
20 and other similar items with a short useful life.

21 4. The tangible property is directly and primarily used  
22 in an activity described in Code section 423.3(47)(a)(1)-(6).  
23 Examples of items that meet this requirement include prototype  
24 materials and testing materials.

25 By operation of Code section 423.6, an item exempt from the  
26 imposition of the sales tax is also exempt from the use tax  
27 imposed in Code section 423.5.